

UNITED STATES DISTRICT COURT
for the

**CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED**

DEC 22 2011

JULIA C. DODDLEY, CLERK
BY: *M. H. D.*
DEPUTY CLERK

United States of America
v.
FRANKIE LEO CARTER

Date of Previous Judgment: 03/28/2008
(Use Date of Last Amended Judgment if Applicable)

DEPUTY CLERK

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of months is reduced to

I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)

Previous Offense Level:

Amended Offense Level:

Criminal History Category: _____

Amended Offense Level:
Criminal History Category:

Previous Guideline Range: _____ to _____ months **Criminal History Category:** _____
Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

III. ADDITIONAL COMMENTS

Defendant's sentence was previously reduced to the mandatory minimum term of imprisonment and, therefore, no further reduction is authorized.

Except as provided above, all provisions of the judgment dated 03/28/2008 shall remain in effect.

IT IS SO ORDERED

Order Date: 12/22/2011

Effective Date: _____
(if different from order date)

Jackson Rie
Judge's signature

Senior United States District Judge

Printed name and title